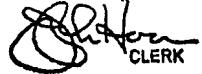


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
DEC 03 2009

CLERK

UNITED STATES OF AMERICA, * CR 09-40014
*
Plaintiff, *
*
vs. * ORDER
*
ERICK JAMES HOWE, *
*
Defendant. *

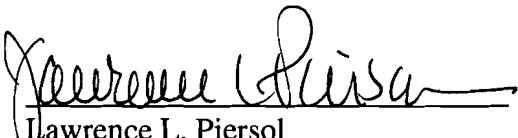
Pending before the Court is the Defendant's Petition to Plead Guilty and Statement of Factual Basis. A hearing to take the plea was held before the Magistrate Judge on October 26, 2009, and Judge Simko issued a Report and Recommendation accepting the plea, and recommending to this Court that the Defendant be adjudged guilty as charged in the Indictment with Possession of Child Pornography in violation of 18 U.S.C. § 2252(a)(5)(B). After a careful review of the file, and the time for objections having expired,

IT IS ORDERED:

1. That the Magistrate Judge's Report and Recommendation is ADOPTED by the Court, and the Defendant Erick James Howe is adjudged guilty.

Dated this 3rd day of December, 2009.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY:



Debra Peters
DEPUTY